THE HONOURABLE DR. JUSTICE G. YETHIRAJULU

WRIT PETITION No. 16125 OF 2003

Date:13.12.2007

BETWEEN:

Tatikonda Brahma Linga Swamy

…. PETITIONER

And

1. The Commissioner, Endowments Department, Tilak Road, Hyderabad, and others.

…. RESPONDENTS

ORAL ORDER:

This writ petition is filed by the Founder Trusty, who is the founders family member of Sri Venkateswara Swamy Temple, Narasipatnam Village, seeking to declare that the budget sanctioned by the Deputy Commissioner, Endowments, Visakhapatnam, which was proposed by the Executive Officer without his consent as illegal and arbitrary and opposed to the provisions of Section 57 of Act 30 of 1987.

The grievance of the petitioner is that the Executive Officer of the temple has no jurisdiction to prepare the budget estimates and the Deputy Commissioner has no power to sanction the same without his consent.

Since the budget relates to the year 2003-2004, the matter ought to have been disposed of before the expiry of the said period. But it remained pending. A new budget must have been presented for the year 2004-2005 and the respondents might have followed the procedure prescribed under the Act. Therefore, this writ petition has become infructuous. However, the Executive Officer is under the administrative control of the Trusty of the temple, and therefore, it is his responsibility to bring to the notice of the Trusty of the temple the proposals that are likely to be made to receive suggestions and to make modifications, if necessary, for the well being and well maintenance of the temple.

Accordingly, the Writ Petition is dismissed. No costs.

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(Dr. G. Yethirajulu, J.)

13th December, 2007

Js.